

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

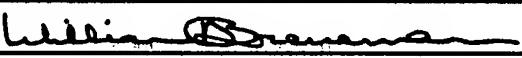
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/717,543
Filing Date	November 21, 2003
First Named Inventor	THOMAS GERLACH and DIRK DROEGE
Art Unit	3721
Examiner Name	Nathaniel C. Chukwurah
Attorney Docket Number	

<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	William D. Breneman, Esq.; BRENEMAN & GEORGES		
Signature			
Printed name	William D. Breneman		
Date	May 2, 2005	Reg. No.	26,714

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name			Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## BEST AVAILABLE COPY

OMB No 0651-0011 (1231.06)

AMENDMENT TRANSMITTAL LETTER				MAY 02 2005	DOCKET NUMBER
Application Number 10/717,543	Filing Date 11/21/2003	Examiner Nathaniel C. Chukwurah	PATENT & TRADEMARK OFFICE		Group An Unit 3721
Invention Title STAPLING DEVICE					

## TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.
- No additional fee is required.
- The fee has been calculated as shown below:

## CLAIMS AS AMENDED

	(1) CLAIMS REMAINING AFTER AMENDMENT	(2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(3) PRESENT NUMBER EXTRA	RATE	Fee
TOTAL CLAIMS	° 29 minus °° 25	4	X \$12	100	
INDEPENDENT CLAIMS	° 3 minus °° 3	0	X \$36	0	
MULTIPLE DEPENDENT CLAIM ADDED			\$120		
			TOTAL	\$ 100.00	
			SMALL ENTITY TOTAL	\$100.00	

If applicant is a small entity under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.

° If the entry in column 1 is less than the entry in column 2, write "0" in column 3

°° If the highest number previously paid for IN THIS SPACE is less than 20, enter "20".

°°° If the highest number previously paid for IN THIS SPACE is less than 3, enter "3".

The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.

Please charge Deposit Account Number \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ 100.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account Number 02-3702.  
A duplicate copy of this sheet is enclosed.

Any additional filing fees required under 37 CFR 1.16.

Any patent application processing fees under 37 CFR 1.17.

May 2, 2005

(Date)

Respectfully submitted,  
  
 William D. Brengman  
 Reg. No. 26,714  
 Patent and Trademark Office - U.S. DEPARTMENT OF COMMERCE



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

THOMAS GERLACH and  
DIRK DRÖGE

Serial No.: 10/717,543

Group Art Unit: 3721

Filed: November 21, 2003

Examiner: Nathaniel C. Chukwurah

For: STAPLING DEVICE

May 2, 2005

\* \* \* \*

**AMENDMENT**

Honorable Commissioner of  
Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22305

Sir:

Responsive to the Office Action mailed February 1, 2005 which time for response expires May 1, 2005 (a Sunday), please amend the Specification and claims to place them in an allowable U.S. format as indicated in the following amendments to the Specification and Listing of Claims:

05/03/2005 JADDO1 00000056 10717543  
01 FC:1202 100.00 OP